



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

April 7, 2022

THOMAS DATWYLER, TREASURER
JOHN MCGUIRE FOR VIRGINIA
11357 NUCKOLS ROAD #156
GLEN ALLEN, VA 23059

Response Due Date
05/12/2022

IDENTIFICATION NUMBER: C00793505

REFERENCE: TERMINATION REPORT (01/01/2022 - 03/31/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. While it is permissible for a person to make a contribution for the general election prior to the primary election, the recipient committee must employ an acceptable accounting method to distinguish between primary and general election contributions. (11 CFR § 102.9(e)) This general election amount must be maintained in the committee's account.

Since the candidate is not seeking office and will not participate in the general election, any contribution received for the general election must be returned to the donors, in accordance with 11 CFR § 110.1(b)(3). The use of general election contributions to pay primary debts and obligations is prohibited under the Act as such use could result in individuals making contributions with respect to the primary election in excess of the \$2,900 per election limit.

The attached general election contributions do not appear to have been remedied. Any subsequent report(s) filed with the Commission must disclose the refund of any general election contributions. Refunds must be done within 60 days after the candidate's announcement not to seek office/re-election.

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any refund. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. (11 CFR § 104.8(d)(4))

JOHN MCGUIRE FOR VIRGINIA

Page 2 of 3

Although the Commission may take further legal action, your prompt action to refund these contributions will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to be from a limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that are publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, your prompt action to refund the prohibited amount will be taken into consideration.

3. Your committee has requested that the Commission permit your committee to terminate pursuant to 52 U.S.C. §30103(d) (formerly 2 U.S.C. §433(d)) and 11 CFR §102.3. In order to terminate your committee, you must file amendments to correct any problems on your Termination Report and/or on any previous reports that still contain uncorrected errors or omissions. If you are not certain about what corrections need to be made, please contact the undersigned analyst. Once the FEC receives and approves the corrections to your report(s), it will notify you. Until that time, you must continue to file all required reports.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will

JOHN MCGUIRE FOR VIRGINIA

Page 3 of 3

be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1161.

Sincerely,

A handwritten signature in black ink that reads "Michael Dobi". The signature is written in a cursive, slightly slanted style.

Michael Dobi
Sr. Campaign Finance & Reviewing Analyst

Apparent General Election Contributions
John McGuire for Virginia (C00793505)

Amended 2021 Year-End Report

Contributor Name	Date	Amount	Election
Allred, Douglas	12/16/21	\$2,900.00	G2022
Basu, Eric Mr.	11/11/21	\$2,900.00	G2022
Hillman, Roberta	11/22/21	\$2,900.00	G2022
Hillman, Tatnall	11/24/21	\$2,900.00	G2022
Hixson, Mark	12/9/21	\$2,900.00	G2022
Hixson, Stephanie	12/9/21	\$2,900.00	G2022
Hoffman Jr, Alfred	12/6/21	\$2,900.00	G2022
Long, Charles Mr.	12/9/21	\$2,900.00	G2022
Long, Kathleen	12/9/21	\$2,900.00	G2022
Markel, Anthony F	11/11/21	\$2,900.00	G2022
Martinelli, David	12/9/21	\$2,900.00	G2022
Martinelli, Janet	12/9/21	\$2,900.00	G2022
Mcbroom, Jackson	12/9/21	\$2,100.00	G2022
Rise, Louise L	12/17/21	\$2,900.00	G2022
Rise, Preston Carter	12/17/21	\$2,900.00	G2022
Sanchez-Elia, Diego	12/9/21	\$2,900.00	G2022
Schwartz, Harry	12/9/21	\$2,900.00	G2022
Sisk, Mark W. Mrs. Jr	12/1/21	\$2,100.00	G2022
Watson, Robert	12/6/21	\$2,900.00	G2022
Zuriff, Laurence	11/11/21	\$2,900.00	G2022

2022 Termination Report

Contributor Name	Date	Amount	Election
Scharbauer, Chris	1/18/22	\$2,900.00	G2022

Apparent Excessive, Prohibited, and Impermissible Contributions
John McGuire for Virginia (C00793505)

Contributions from Possible Prohibited Entities

Contributor Name	Date	Amount	Election
Loading Doc Central LLC	1/18/22	\$1,000.00	P2022